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12 Attorneys for Defendant
SANCTUS LLC d/b/a SHIFT DIGITAL
13

14 **UNITED STATES DISTRICT COURT**
15 **NORTHERN DISTRICT OF CALIFORNIA**
16

17 AMY WYNNE, individually and on behalf
of a class of similarly situated persons,

18 Plaintiff,

19 v.
20

21 AUDI OF AMERICA, AUDI OF
AMERICA, LLC, SANCTUS LLC, DBA
SHIFT DIGITAL, SHIFT DIGITAL LLC,
22 VOLKSWAGEN GROUP OF AMERICA,
INC. and DOES 1-50 inclusive,

23 Defendants.
24

Case No. 4:21-cv-08518-DMR

**STIPULATION AND ORDER FOR
ENLARGEMENT OF TIME TO RESPOND
TO THE AMENDED COMPLAINT AND
MOTION FOR REMAND AND TO
RESCHEDULE THE INITIAL CASE
MANAGEMENT CONFERENCE (as modified)**

1 Plaintiff Amy Wynne (“Plaintiff”) and Defendants Audi of America, LLC (“Audi”), Sanctus
 2 LLC d/b/a Shift Digital (“Shift Digital”), and Volkswagen Group of America, Inc. (“VGoA”)
 3 (collectively, “Defendants”) (Plaintiff and Defendants collectively, the “Parties”) hereby stipulate as
 4 follows:

5 WHEREAS, Plaintiff filed this action in the Superior Court of the State of California, Marin
 6 County on June 18, 2021;

7 WHEREAS, Plaintiff filed an Amended Complaint on September 4, 2021;

8 WHEREAS, Shift Digital removed this action from Marin County Superior Court to this Court
 9 on November 2, 2021 (Dkt. 1);

10 WHEREAS, the Parties previously stipulated to extend the deadline for Defendants to answer,
 11 move, or otherwise respond to the Amended Complaint up to and including December 9, 2021 (Dkt.
 12 6);

13 WHEREAS, Plaintiff filed a motion to remand this action on December 1, 2021 (Dkt. 19);

14 WHEREAS, the deadline to oppose Plaintiff’s motion to remand is December 15, 2021 (Dkt.
 15 20);

16 WHEREAS, pursuant to the Initial Case Management Scheduling Order with ADR Deadlines
 17 (Dkt. 8), the Court has set the Initial Case Management Conference for February 2, 2022;

18 WHEREAS, the Parties agree that it would promote efficiency and conserve judicial resources
 19 to resolve Plaintiff’s motion to remand before a response is filed to Plaintiff’s Amended Complaint;¹

20 WHEREAS, the Parties also agree that it would promote efficiency and conserve judicial
 21 resources to reschedule the Initial Case Management Conference until after the Court rules on the
 22 motion to remand and Defendants respond to the Amended Complaint;

23 WHEREAS, the Parties believe the foregoing facts constitute good cause for extension of time
 24 to respond to the motion to remand, extension of time to respond to the Amended Complaint, and
 25 rescheduling of the Initial Case Management Conference;

26
 27 ¹ Currently, Defendants’ deadline to respond to the Amended Complaint is December 9, 2021, which
 28 is before Defendants’ deadline to oppose Plaintiff’s motion to remand on December 15, 2021.

THEREFORE, IT IS HEREBY STIPULATED that the Parties have agreed to the following:

- Any opposition to Plaintiff's motion to remand this action shall be filed on or before January 12, 2022;
- Plaintiff's deadline for the reply for the motion to remand is January 26, 2022;
- The hearing for the motion to remand shall be rescheduled to February 10, 2022 at 1:00 p.m.;
- Defendants will not answer, move (including filing a motion to compel arbitration), or otherwise respond to the operative pleading before the Court rules on the motion to remand. If this matter is not remanded, Defendants shall answer, move, or otherwise respond to the operative complaint within 30 days after the Court's ruling on the motion to remand; and
- The Initial Case Management Conference shall be rescheduled to a date after Defendants answer, move, or otherwise respond to the operative complaint.

IT IS SO STIPULATED AND AGREED.

Dated: December 6, 2021

RIGHETTI GLUGOSKI, P.C.

By: /s/ Matthew Righetti
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Counsel for Plaintiff Amy Wynne

Dated: December 6, 2021

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Counsel for Defendant
SANCTUS LLC d/b/a SHIFT DIGITAL

Dated: December 6, 2021

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By: /s/ Marisol C. Mork

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VOLKSWAGEN GROUP OF AMERICA, INC.
and AUDI OF AMERICA, LLC

ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-l(i)(3)

Pursuant to Civil Local Rule 5-l(i)(3), the filer of this document attests that concurrence in the filing of this document has been obtained from the signatories above.

By: /s/ Dana Cook-Milligan
Dana L. Cook-Milligan (SBN: 301340)

ORDER

Pursuant to the Stipulation and good cause appearing, it is ordered that:

- Any opposition to Plaintiff's motion to remand this action shall be filed on or before January 12, 2022;
- Plaintiff's deadline for the reply for the motion to remand is January 26, 2022;
- The hearing for the motion to remand shall be rescheduled to February 10, 2022 at 1:00 p.m.;
- If this matter is not remanded, Defendants shall answer, move, or otherwise respond to the operative complaint within 30 days after the Court's ruling on the motion to remand; and
- The Initial Case Management Conference shall be rescheduled to June 22, 2022 at 1:30 p.m.

Dated: 12/10/2021


Hon. Donna M. Ryu
United States District Judge